



MONTGOMERY COUNTY ETHICS COMMISSION

Steven Rosen
Chair

Kenita V. Barrow
Vice Chair

January 19, 2018

Waiver 18-01-003

Pursuant to § 19A-12(b)(1)(B) of the Public Ethics Law, a public employee must not be employed by a business that negotiates or contracts with the County agency with which the public employee is affiliated, unless the Ethics Commission grants a waiver.

Damon Dixon is a Bus Operator at the Division of Transit Services at the Montgomery County Department of Transportation (MCDOT). He would like to engage in outside employment as a driver at Hands On LLC (Hands On), an entity which contracts with MCDOT.

MCDOT has a contract with Hands On for operating its Small Transit Shop facility.

In his County position, Mr. Dixon is a bus operator, and he trains and retrain other bus operators on the safe operation of transit buses as well as teaching the operators the bus routes. As a driver for Hands On, he will be tasked with ensuring that DC Circulator buses are cleaned properly and parked on the DC Circulator depot lot. His position with Hands On is funded by the contract that Hands On has with the Washington DC Circulator, which is unrelated to Montgomery County.

Pursuant to § 19A-8(b)(3) of the Public Ethics Law, the Ethics Commission may grant a waiver of the prohibition of § 19A-12(b) if the Ethics Commission concludes that the proposed employment is not likely to create an actual conflict of interest. Upon a review of the request and the Department's concurrence in and support for the waiver request, the Commission finds that there is no actual conflict of interest. Pursuant to the standard of § 19A-8(b)(3), the Commission grants the waiver of the prohibition of § 19A-12(b).

The waiver is conditioned on Mr. Dixon not working in his County capacity on matters involving any County contracts involving Hands On and on his not representing Hands On in its contractual dealings with MCDOT.

This waiver expires when the outside employment approval with which it is associated expires, unless a continuation request for outside employment is timely filed and subsequently approved by the Ethics Commission.

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In reaching this decision, the Commission has relied upon the facts as presented by Mr. Dixon.

For the Commission:



Steven Rosen, Chair